

PLANNING DEVELOPMENT CONTROL COMMITTEE

9 March 2005

Attendance:

Councillors:

Busher (Chairman) (P)

Baxter (P)
Bennetts (P)
Beveridge
Davies (P)
Darbyshire (P)
Evans
Jeffs (P)

Johnston (P)
Mitchell
Pearson (P)
Read (P)
Saunders (P)
Sutton (P)
Tait (P)

Others in attendance who addressed the meeting:

Councillor Knasel

935. **APOLOGIES**

Apologies were received from Councillors Beveridge, Evans, Mitchell and Pearce (Standing Deputy for Councillor Evans).

936. **MINUTES**

RESOLVED:

That the minutes of the previous meetings of the Committee held on 12 January 2005, 13 January 2005 and 9 February 2005 be approved and adopted.

937. **PLANNING APPEALS – SUMMARY OF DECISIONS**

(Report PDC518 refers)

RESOLVED:

That the report be noted.

938. **PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB COMMITTEE**

(Report PDC520 refers)

The Committee considered the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 14 February 2005 (attached as Appendix A to the minutes).

RESOLVED:

That the minutes of the meeting of the Planning Development Control (Telecommunications) Sub Committee held on 14 February 2005 be received.

939. **DEVELOPMENT CONTROL APPLICATIONS**

(Report PDC516 refers)

The Schedule of Development Control Decisions arising from the consideration of the above report is circulated separately and forms an appendix to the minutes.

Councillor Busher declared a personal (but not prejudicial) interest in respect of items 1 and 2 as she was acquainted with the applicants in both cases and she spoke and voted thereon.

Councillor Davies declared a personal (but not prejudicial) interest in respect of item 3 as he was a member of the Council of the City of Winchester Trust, which had commented on this application and he spoke and voted thereon.

Councillor Sutton declared a personal (but not prejudicial) interest in respect of items 6 and 8 as she was a member of the Colden Common Parish Council which had previously considered these applications but she had not taken part in the Parish Council's discussion of these items and she spoke and voted thereon.

Councillor Saunders declared a personal and prejudicial interest in respect of item 2 as she was a personal friend of the applicant and she left the meeting during consideration of this item.

Councillor Jeffs declared a personal and prejudicial interest in respect of item 2 as he was a personal friend of the applicant and was also the applicant's Branch Chairman through the Winchester Conservative Association and he left the meeting during consideration of this item.

In the public participation part of the meeting, the following items were discussed:

In respect of item 1 – Whites Hill Farm, Whites Hill, Owlsebury, Winchester Professor Dale and a representative of Owlsebury Parish Council spoke in objection to the application and Mr Humphrey, applicant, spoke in support. At the invitation of the Chairman, Councillor Knasel, a Ward Member, spoke on this item. In summary, Councillor Knasel asked that consideration of the application be deferred to a future meeting in order that further study could be made of the highway data, but, if the Committee were minded to permit the application, then the permission be time limited so that the highway information could be accurately assessed. He continued that the road was only 2.3 metres wide by the Ship Inn Car Park and there was no public footpath. The access was poor for use by large lorries due to its narrowness and limited visibility. The traffic movements stated in the report at 18 per day were incorrect as an additional 17 had to be added for the remaining poultry shed resulting in 35 vehicle movements per day in total. He also asked that to avoid conflict between school children and lorries accessing the site that a condition be included to not allow lorry access between 8 and 9 am and 3 and 4 pm.

In reply, the Acting Director of Development Services commented that it was difficult to assess applications involving farm diversification using the TRICS database as the database was not comprehensive for this type of activity. However, he agreed that the report was incorrect and that the actual trips to be generated would be nearer 35 per day when combined with the existing poultry shed. To assess the impact of the proposals, a temporary permission for a 3 year period would be of assistance.

The Acting Director of Development Services added that in line with Government advice it was normal not to approve a temporary permission. However, in this instance there would be few alterations required to the agricultural buildings to make them suitable for a storage use and therefore the permitting of the application for a 3 year temporary period would be acceptable. He added that the Hampshire County Council rights of way officer had also raised no objection to the application but had additionally requested that signs be erected on the driveway that horses and pedestrians had priority. These would be covered by condition. Following debate, the Committee supported the application as set out for a 3 year temporary period only.

In respect of item 5 – Recreation Ground, King Georges Field, Ashling Park Road, Denmead, Councillor Knight representing Denmead Parish Council spoke in objection to the application and Mr Over, representing the applicant, spoke in support. Following debate, the Committee supported the application with an amendment that the closing time for lighting should be at 9.30 pm rather than 10 pm as originally proposed, in order to reduce the impact of noise on the residents of neighbouring properties.

In respect of item 6 – Longways, Spring Lane, Colden Common, Winchester, Mr Higgins, spoke in objection to the application and Mr Tear, spoke in support. In approving the application, the Committee also agreed that an additional condition be included to control drainage on the site (DP10) and that authority be delegated to the Acting Director of Development Services in consultation with the Chairman to agree highway conditions.

In respect of item 7 – Land between the Post Office and 2 Dever Close, Micheldever, Mr Knight spoke in support of the application. In introducing the report, the Acting Director of Development Services stated that the Environment Agency had now withdrawn its objection to the application as a sewage treatment plant would be included on site as part of the application. The Committee noted that conditions would also be included detailing hours of construction and construction vehicle parking arrangements and also that details of windows would need to be compatible with the requirements of a conservation area. With these additional conditions, the Committee agreed to the application as set out.

In respect of item 8 – Francis Yard, Main Road, Colden Common, Winchester, Mr Higgins spoke in support of the application and against the Officers' recommendation for refusal. The Acting Director of Development Services added that there was a revised reason for refusal received from Hampshire County Council relating to works required through a Section 278 agreement and these replaced the reasons as set out in the report. Following debate, the Committee agreed the reasons for refusal, to include the revised highways reason for refusal as set out in the Decision Schedule which forms an appendix to these minutes.

In respect of items not subject to public participation, the Acting Director of Development Services reported that in respect of item 2 – The Weir House, Abbotstone Road, Old Alresford, the Environment Agency had no objection to the proposals provided a condition was included on the storage of fuels on the site to include details of flooring materials and a suitable bund.

RESOLVED:

1. That the decisions taken on the Development Control applications, as set out in the schedule which forms an appendix to the minutes, be agreed.

2. That in respect of item 6 – Longways, Spring Lane, Colden Common, Winchester, authority be delegated to the Acting Director of Development Services in consultation with the Chairman to agree details of a highway condition.

940. **EXEMPT BUSINESS**

RESOLVED:

That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
941	19 Monarch Way, Winchester	Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:- (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation). (Para 12 to Schedule 12A refers). Information which, if disclosed to the public, would reveal that the authority proposes:- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or

(b) to make an order or direction under any enactment. (Para 13 to Schedule 12A refers).

941. **19 MONARCH WAY WINCHESTER**
(Report PDC515 refers)

RESOLVED:

That recommendations 1, 2 and 3 of report PDC 515 be approved and adopted as set out in the report.

The meeting commenced at 2.00pm and concluded at 5.50pm

Chairman

PLANNING DEVELOPMENT CONTROL (TELECOMMUNICATIONS) SUB-COMMITTEE**14 February 2005****Attendance:****Councillors:**

Bennetts (Chairman) (P)

Baxter (P)
Busher (P)
Davies (P)
Jeffs (P)Johnston (P)
Jeffs (P)
Pearson (P)
Read (P)**Officers in attendance:**Ms Fettes (Senior Planning Officer)
Ms Hutchings (Principal Planning Officer)

942. INSTALLATION OF A 15 METRE STREETWORKS MONOPOLE WITH METER CABINET AT LAND AT ALRESFORD ROAD, WINCHESTER

The Sub-Committee met at the application site at land at Alresford Road, Winchester.

The Chairman welcomed to the meeting Mr Henderson (representing the applicant's agent, Turner and Partners) and Ms Rashid (a Radio Engineer for the applicant, O2) together with approximately twenty members of the public, and representatives and parents of St Swithuns School.

The application site was on Highways Authority land on a wide roadside verge on the northside of Alresford Road and was close to the M3 Spitfire Bridge. The site was also adjacent to the perimeter of St Swithuns School. The site was 80 metres from the nearest school building (a swimming pool), 180 metres from the main school building and 150 metres from the nearest residential dwelling on Alresford Road. A demonstration mast had been raised to the full height of the proposals (15m) at its approximate position.

Ms Fettes explained that an application had been received from O2 for the erection of a 12.5 metre high slimline monopole with 2.5 metre high polar antennae (the total height was therefore 15 metres) and an equipment cabinet measuring 1.7m x 0.75m x 1.4m. The mast would provide 3G coverage for the St Giles Hill area of Winchester and the M3 motorway.

As the total height of the proposal did not exceed 15 metres, Ms Fettes explained that the application was a prior notification which meant that the Sub-Committee could only comment on the appearance and setting of the proposal and that it was not possible to attach any planning conditions.

Ms Fettes reported that 85 letters of objection had been received in relation to the proposal. In summary, she explained that the letters raised concerns that the applicant had provided insufficient information regarding alternative sites, emissions, insufficient consultation and publicity. There were also concerns regarding health issues and the mast's proximity to the school and residential properties.

Although some of the letters received had also raised concerns regarding the proposal's effects on the nearby Area of Outstanding Natural Beauty (AONB), Ms Fettes reported that the Landscape Officer had raised no objection, so long as the mast was painted a light colour to blend with the other street furniture and that the cabinet be painted a dark colour. In considering the mast's visual effect on the landscape, Members agreed that the mast would be visible from long distance views from the AONB and St Catherines Hill but that its impact was likely to be lessened by the presence of other street furniture in the area, such as lamp-posts.

Members questioned why the school had objected to the proposed mast whilst there was an existing telecommunications mast in the grounds of St Swithuns School approximately 20m from the site of the proposed mast. In response, Dr Harvey (the Head of St Swithuns School) explained that the mast in the school's grounds had been granted permission in 1996 when she considered that the possible health risks associated with telecommunications masts were less well known. She added that the school would review its 10 year lease agreement with Orange (the operator) when it expired in 18 months time.

At the invitation of the Chairman, several members of public raised concerns with regard to the possible health effects of the proposed mast and its relationship with the school. Ms Rashid explained that the application would be ICNIRP complaint and that the direction of the mast's beams would be aimed towards the M3 and the St Giles Hill area and not therefore towards the school. It was noted that, if granted, the applicant would be able to alter the direction of the beams as part of the mast's general maintenance. Although Members noted that to alter the direction of the antenna would diminish the mast's intended effectiveness, the Sub-Committee requested that any alterations of the beam's direction should be reported to the City Council. On behalf of the applicant, Mr Henderson agreed to this request.

During his comments against the application, Mr Graham (Chairman of the Council of St Swithuns School) stated that the applicant had not replied to the school's request for further information on the radiation and health risks of the proposed mast and the Sub-Committee noted and regretted that this information had not been supplied. In response to questions, Dr Harvey stated that the primary school buildings were located at the opposite end of the St Swithuns School site from the proposed application.

A Member commented on the proliferation of mast sites and Ms Rashid explained that the applicant had investigated alternative sites. Sites in St Giles Hill had been discounted as they were considered to be too residential and a site share with an existing mast on top of Earle House in Winnall had also been discounted as the landlord, the City Council, had refused permission. Another possible site share at the Alresford Road hospital had not been pursued as it fell outside the required coverage area. Mr Henderson added that the applicant had taken into account the conclusions of the Stewart Report and had evaluated the application to be an "amber-light" case although in response to questions, he was unable to clarify how the evaluation had been calculated.

At the conclusion of her presentation, Ms Fettes recommended that the application be approved and the majority of Members agreed that there were no material planning objections that could be sustained against the application.

RESOLVED:

That no objection be raised.

943. **INSTALLATION OF A 22.5M MONOPOLE WITH 2 NO. 3G ANTENNAE, EQUIPMENT CABINETS, FENCE AND ANCILLARY EQUIPMENT AT LAND OFF OVERTON ROAD, MICHELDEVER STATION**

The Sub-Committee met at the application site at land off Overton Road, Micheldever Station.

The Chairman welcomed to the meeting Mr Henderson (representing the applicant's agent, Turner and Partners) and Ms Rashid (a Radio Engineer for the applicant, O2).

The site was in a rural location beside the mainline railway track and a demonstration mast had been raised to the full height of the proposals in its approximate position.

Ms Hutchings explained that the application proposed a 20m monopole with 2no panel antennas so that the total height of the structure would be 22.5m. The application was to serve O2's 3G customers on part of the mainline railway and would link in with proposed cells to the north of Hampshire Grain and to the south at Borough Farm. A compound measuring 4.5m x 6.3m and enclosed by a 1.8m high chainlink and barbed wire fence was proposed to contain 2no equipment cabinets.

Ms Hutchings reported that the Landscape Officer had raised no objection to the application but suggested that the mast be painted a dark green or brown to blend into the line of mature trees behind the application site.

Members noted that the Grade 2 Listed Warren House and farm buildings were located some distance from the application site and, as such, the Conservation Officer had been consulted but no formal response had been received. Ms Hutchings also reported that no representations had been received from the Parish Council nor any members of the public.

In response to Members' questions, Mr Henderson explained that alternative sites had been considered (including a site share at Weston Clump, Northbrook Road, where a mast had previously been approved and at the Micheldever Tyres site) but these had been discounted as they failed to provide the required coverage area.

Members considered the likely proliferation of telecommunications masts along the railway line to serve 3G customers and Mr Henderson stated that the proposed mast would be able to accommodate additional antennae from other operators.

In response to Members' comments concerning the height of the mast, Ms Rashid explained that the height was necessary to achieve the required coverage along the railway line.

The Sub-Committee noted that the proposed mast would be visible from Larkwhistle Farm Road and from longer distance views across the surrounding fields and countryside. However, it was noted that the proposal's impact on views from the nearest footpath on a ridgeline would be minimal by virtue of the long distance between the mast and the path and backdrop of trees.

Following discussion, the Sub-Committee approved the application. Although the site was not within the AONB Members requested that the compound be enclosed by a post and rail fence (rather than the proposed chainlink fence) and that this should be surrounded by planting of an indigenous species. Members also agreed that a condition should be attached to ensure that the mast was painted a suitable colour.

RESOLVED:

That permission be granted subject to the following conditions:

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

01 Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990.

02 A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

02 Reason: To improve the appearance of the site in the interests of visual amenity.

03 The mast, antennae and all ancillary equipment hereby approved shall be painted in a dark green/brown colour, reference BS4800 10 B 29, to a matt finish before the development is completed unless otherwise agreed in writing by the Local Planning Authority.

03 Reason: In the interests of the amenities of the rural area.

04 The 1.8m high chainlink fence detailed on drawing reference numbers P_21006_GEN/02 rev. D and GEN/03 rev. D is hereby not approved. A timber post and rail fence of a standard height of 1.2m is hereby approved instead and shall be erected in place of the chainlink fence as detailed above before development is completed, unless otherwise agreed in writing with the Local Planning Authority.

04 Reason: In the interests of the amenities of the rural area.

05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any Order revoking and re-

enacting that Order, no development permitted by Part 24 of Schedule 2 of the Order shall be undertaken without the prior approval, in writing, of the Local Planning Authority.

05 Reason: To improve the appearance of the site in the interests of visual amenity.

06 In the event that the development hereby approved becomes redundant or otherwise not required for the purpose permitted, the mast and all associated equipment and enclosures shall be dismantled and permanently removed from the site, which shall be restored to its former condition.

06 Reason: In the interests of visual amenity.

Informatives

01. This permission is granted for the following reasons:-

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

02. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: C1, TC1.

Winchester District Local Plan Proposals: C1, C2, C6, EN5, SF4, HG23.

Emerging Development Plan- WDLP Review Deposit and Revised Deposit: C1, C5, DP3, DP17, HE16.

The meeting commenced at 9.30am and concluded at 12.15pm.

Chairman